

# HOUSE BILL No. 1272

## DIGEST OF INTRODUCED BILL

**Citations Affected:** None (noncode).

**Synopsis:** City legislative bodies. Authorizes the legislative body of the city of Jeffersonville to adopt an ordinance to assume second class city status. Authorizes the city legislative body to adopt an ordinance to increase the membership of the city legislative body to add one member to represent a district and one member to represent the city at large. Provides for the nomination and election of members of the legislative body to fill the new seats on the legislative body at the 2008 general election. Makes findings to support limitation of these provisions to the city of Jeffersonville.

**Effective:** Upon passage.

**Stemler**

January 15, 2008, read first time and referred to Committee on Local Government.

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Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

## HOUSE BILL No. 1272

A BILL FOR AN ACT concerning local government.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. [EFFECTIVE UPON PASSAGE] (a) As used in this  
2       SECTION, "city" refers to the city of Jeffersonville, Indiana.

3       (b) The general assembly finds the following:

4           (1) That the city annexed territory, effective January 1, 2008,  
5           adding:

6               (A) large areas to the city; and

7               (B) a substantial number to the population of the city.

8           (2) That the actual population of the city after the annexation  
9           is greater than thirty-five thousand (35,000).

10          (3) That the city is currently a third class city under IC 36-4-1.

11          (4) That a third class city with a population greater than  
12          thirty-five thousand (35,000) may adopt second class city  
13          status under IC 36-4-1-1.1.

14          (5) That it is unclear under Indiana law, particularly  
15          IC 1-1-3.5, that the population of the city for purposes of  
16          Indiana law is greater than thirty-five thousand (35,000).

17          (6) That the voters of the city elected a new legislative body at  
18          the 2007 general election based on the city's geography as it

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existed before January 1, 2008.

(7) That Indiana law does not authorize the city to provide representation to the new residents of the city before the city's next municipal election.

(8) That the citizens in the newly annexed territory of the city should be represented on the city's legislative body without undue delay.

(c) Notwithstanding any other law, the city legislative body may adopt an ordinance to assume second class city status as provided in IC 36-4-1-1.1.

(d) Notwithstanding IC 36-4-1-8, the city legislative body may adopt an ordinance to increase the membership of the city's legislative body to provide for:

(1) six (6) members to represent districts; and

(2) three (3) members to represent the city at large.

If an ordinance is adopted under this subsection and otherwise applicable Indiana law, the new city legislative body districts must comply with IC 36-4-6-3.

(e) If the city legislative body adopts an ordinance under subsection (d), the first election of members for the:

(1) additional district seat; and

(2) additional at large seat;

established under subsection (d) shall be held at the 2008 general election for a term of office beginning January 1, 2009, and ending January 1, 2012. The successors of the individuals elected under this subsection shall be elected at the 2011 general election and take office January 1, 2012.

(f) The registered voters living:

(1) in the additional district established under subsection (d) are entitled to vote for a candidate to be elected to that district's seat; and

(2) in the city are entitled to vote for a candidate to be elected to the additional at large seat.

(g) A political party may nominate candidates for the election held under subsection (e) using the candidate vacancy provisions of IC 3-13-1. Other candidates may qualify under IC 3-8-6 to be voted on at the general election.

(h) This SECTION expires January 1, 2012.

SECTION 2. An emergency is declared for this act.

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